



# PATENT APPLICATION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of

## **RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **Response to Restriction and Election Requirements**

Applicant provisionally elects Group I (Claims 1-16) with traverse. Reasons for the traversal are given below.

## **CERTIFICATE**

I hereby certify that this Response to Restriction Requirement, and the enclosed check for \$60 are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 19, 2006.

André J. Porter  
Registration No. 50,341

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April 19, 2006

## **Traversal of Restriction Requirement**

The April 12, 2006 Restriction Requirement identified two Groups of Claims: Group I, containing process Claims, and Group II, containing a product Claim.

In order to expedite prosecution, Applicant has provisionally elected Group I. Applicants respectfully traverse the restriction requirement between Groups I and II.

The Office justified restricting Group I from Group II by asserting that the product of Group II could be "made by another materially different process, such as a process using a micro mold process with the steps described in paragraphs 0004 and/or 0005." pg. 2, Office Action.

While Applicant does not intend to rule out the possibility that it may be possible to use other processes and materials, the burden is on the Office to show that a restriction requirement is justified. M.P.E.P. § 803 provides in part: "Examiners must provide reasons and/or examples to support conclusions . . ." The Office does not carry this burden merely by asserting that another process that uses a micro mold process with the steps described in paragraphs 0004 and/or 0005 might be used. The Office has not specified any alternative process.

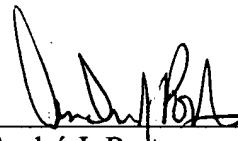
It is respectfully submitted that the Office has not carried its burden of showing the existence of a specific, plausible, alternative process. Unless the Office carries this burden, it is respectfully submitted that the restriction requirement should be withdrawn.

## Conclusion

The restriction requirement should be withdrawn, and all pending Claims should be examined on their merits.

Allowance of Claims 1-17 at an early date is respectfully requested.

Respectfully submitted,



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